

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>9-8-16</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BENJAMIN SCHWARZ, CHRISTINA SCHWARZ, :

and DANIEL SCHWARZ, :

:

Plaintiffs, :

:

-v- :

:

THINKSTRATEGY CAPITAL MANAGEMENT LLC :

and CHETAN KAPUR, :

:

Defendants. :

:

09 Civ. 9346 (PAE)

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:

SECURITIES AND EXCHANGE COMMISSION, :

:

Plaintiff, :

:

-v- :

:

CHETAN KAPUR and LILABOC, LLC, :

:

Defendants. :

:

11 Civ. 8094 (PAE)

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:

LESLIE SCHNEIDER, LEONARD SCHNEIDER, :

LILLIAN SCHNEIDER, SCOTT SCHNEIDER, SUSAN :

SCHNEIDER, JAMISCOTT LLC, JAMISCOTT II LLC, :

CLARIDGE ASSOCIATES LLC, BAYROC :

ASSOCIATES LLC, and BAYWATER ASSOCIATES :

LLC, :

:

Plaintiffs, :

:

-v- :

:

LILABOC, LLC, d/b/a/ THINKSTRATEGY CAPITAL :

MANAGEMENT, LLC and CHETAN KAPUR, :

:

Defendants. :

:

-----X

12 Civ. 5818 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The following order is to be filed in each of the above-captioned cases, which are related.

On September 8, 2016, the Court held a hearing to address the status of the ongoing contempt sanction against Chetan Kapur entered by this Court on July 1, 2015.

For the reasons stated on the record at that hearing, Mr. Kapur has failed to undertake sufficient steps to purge his contempt, and therefore the sanction remains in place. The Court set out, on the record, the concrete measures that are necessary, but not necessarily sufficient, for him to do so.

The Court scheduled a hearing for October 28, 2016 at 3:30 p.m. to assess the contempt sanction and to consider any new developments. The parties remain at liberty to request an earlier hearing.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: September 8, 2016
New York, New York